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Prepared By _____

Approved By _____

An act to amend Sections 6276.10 and 12805 of the Government Code, and to amend Sections 12501, 12502, 12513, 12515, 12516, 12517, 12518, 12519, 12528, 12529, 12530, 12531, 12532, 12533, 12551, 12552, 12553, 12999, and 79567 of, to repeal Sections 12512, 12514, 12525, 12526, and 12527 of, to repeal Chapter 4 (commencing with Section 12540) of, and Chapter 7 (commencing with Section 12560) of, Part 5 of Division 6 of, and to repeal and add Sections 12510, and 12511 of, the Water Code, relating to the Colorado River Board of California, and making an appropriation therefor, to take effect immediately, bill related to the budget.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6276.10 of the Government Code is amended to read:

6276.10. Cancer registries, confidentiality of information, Section 103885, Health and Safety Code.

Candidate for local nonpartisan elective office, confidentiality of ballot statement, Section 13311, Elections Code.

Child abuse information, exchange by multidisciplinary personnel teams, Section 830, Welfare and Institutions Code.

Child abuse report and those making report, confidentiality of, Sections 11167 and 11167.5, Penal Code.

Child care liability insurance, confidentiality of information, Section 1864, Insurance Code.

Child concealer, confidentiality of address, Section 278.7, Penal Code.

Child custody investigation report, confidentiality of, Section 3111, Family Code.

Child day care facility, nondisclosure of complaint, Section 1596.853, Health and Safety Code.

Child health and disability prevention, confidentiality of health screening and evaluation results, Section 124110, Health and Safety Code.

Child sexual abuse reports, confidentiality of reports filed in a contested proceeding involving child custody or visitation rights, Section 3118, Family Code.

Child support, confidentiality of income tax return, Section 3552, Family Code.

Child support, promise to pay, confidentiality of, Section 7614, Family Code.

Childhood lead poisoning prevention, confidentiality of blood lead findings, Section 124130, Health and Safety Code.

Children and families commission, local, confidentiality of individually identifiable information, Section 130140.1, Health and Safety Code.

Cigarette tax, confidential information, Section 30455, Revenue and Taxation Code.

Civil actions, delayed disclosure for 30 days after complaint filed, Section 482.050, Code of Civil Procedure.

Closed sessions, document assessing vulnerability of state or local agency to disruption by terrorist or other criminal acts, subdivision (aa), Section 6254.

Closed sessions, meetings of local governments, pending litigation, Section 54956.9.

Colorado River ~~Board~~, Advisory Committee, confidential information and records, Section 12519, Water Code.

Commercial fishing licensee, confidentiality of records, Section 7923, Fish and Game Code.

Commercial fishing reports, Section 8022, Fish and Game Code.

Community care facilities, confidentiality of client information, Section 1557.5, Health and Safety Code.

Community college employee, candidate examination records, confidentiality of, Section 88093, Education Code.

Community college employee, notice and reasons for nonreemployment, confidentiality, Section 87740, Education Code.

SEC. 2. Section 12805 of the Government Code is amended to read:

12805. (a) The Resources Agency is hereby renamed the Natural Resources Agency. The Natural Resources Agency consists of the departments of Forestry and Fire Protection, Conservation, Fish and Game, Boating and Waterways, Parks and Recreation, Resources Recycling and Recovery, and Water Resources; the State Lands Commission; ~~the Colorado River Board~~; the San Francisco Bay Conservation and Development Commission; the Central Valley Flood Protection Board; the Energy Resources Conservation and Development Commission; the Wildlife Conservation Board; the Delta Protection Commission; the Native American Heritage Commission; the California Conservation Corps; the California Coastal Commission; the State Coastal Conservancy; the California Tahoe Conservancy; the Santa Monica Mountains Conservancy; the Coachella Valley Mountains Conservancy; the San Joaquin River Conservancy; the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy; the Baldwin Hills Conservancy; the San Diego River Conservancy; and the Sierra Nevada Conservancy.

(b) No existing supplies, forms, insignias, signs, or logos shall be destroyed or changed as a result of changing the name of the Resources Agency to the Natural Resources Agency, and those materials shall continue to be used until exhausted or unserviceable.

SEC. 3. Section 12501 of the Water Code is amended to read:

12501. ~~“Board” means the Colorado River Board of California.~~ “Committee” means the Colorado River Advisory Committee established by the Secretary of the Natural Resources Agency.

SEC. 4. Section 12502 of the Water Code is amended to read:

12502. ~~“Commissioner” means the Colorado River Commissioner.~~ “Secretary” means the Secretary of the Natural Resources Agency, or his or her designee.

SEC. 5. Section 12510 of the Water Code is repealed.

~~12510. There is in the state government, in the Resources Agency, the Colorado River Board of California.~~

SEC. 6. Section 12510 is added to the Water Code, to read:

12510. The Colorado River Board of California is hereby abolished.

SEC. 7. Section 12511 of the Water Code is repealed.

~~12511. The board consists of eight members appointed by the Governor as provided in this chapter, two of whom shall be public members appointed by the Governor, and the Director of Water Resources and the Director of Fish and Game or their designees.~~

SEC. 8. Section 12511 is added to the Water Code, to read:

12511. The Secretary shall succeed to, and is vested with, all the duties, powers, property, purposes, responsibilities, and jurisdictions of the Colorado River Board of California, as it existed prior to September 1, 2012.

SEC. 9. Section 12512 of the Water Code is repealed.

~~12512. The governing bodies of the San Diego County Water Authority, Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley Water District, the Metropolitan Water District of Southern California, and the Department of Water and Power of the City of Los Angeles shall each submit to the Governor two lists of not less than three persons on each with a recommendation as to whom should be~~

~~appointed from one list as its member on the board and from the other list as its alternate on the board. The Governor shall appoint each agency's member and alternate from the designated lists. If, after 60 days following submission of the initial or any new list, the Governor has not made an appointment, the person recommended by the governing body shall be deemed appointed. Each governing body if it desires to have a new member or alternate, or both, may submit new lists at any time. A member of the governing body of an agency may be appointed as a member of the board or as an alternate. Each alternate shall, in the absence of the appointed member for any cause, including vacancy in the office of the appointed member, have all the authority and rights of the member to which he or she is an alternate.~~

SEC. 10. Section 12513 of the Water Code is amended to read:

12513. ~~Each~~ (a) The secretary may establish a Colorado River Advisory Committee.

(b) The secretary may designate the members of the committee from the Department of Water Resources, the Department of Fish and Game, the governing bodies of the San Diego Water Authority, Palo Verde Irrigation District, Imperial Irrigation District, Coachella Valley Water District, the Metropolitan Water District of Southern California, the Department of Water and Power of the City of Los Angeles, and any other entity or person the secretary deems appropriate.

(c) Each member of the board committee, except as otherwise provided in this section, shall serve without compensation but shall be reimbursed for traveling and other expenses actually and necessarily incurred in the performance of his or her duties. In addition, each member of the ~~board~~ committee that is neither eligible for nor receives

any salary or other compensation for time spent attending meetings of the ~~board~~ committee shall receive fifty dollars (\$50) for each day attending the meetings of the ~~board~~ committee.

(d) If the secretary establishes the committee, the committee shall comply with all provisions and requirements in this part.

SEC. 11. Section 12514 of the Water Code is repealed.

~~12514. (a) The board shall determine, by majority vote, where to maintain its office and shall hold meetings at that office or elsewhere upon call of the chairman or three members of the board. The board shall not relocate its office more than once within each gubernatorial term.~~

~~(b) The local agencies that are represented on the board may reimburse employees of the board for relocation or net commuting expenses, or both, incurred by those employees as the result of a change in the location of the office pursuant to subdivision (a). The costs shall be divided equally among the local agencies. Any commuting expenses shall not exceed the state's reimbursement rate for state employees. Any relocation benefits shall be approved by each local agency prior to those benefits being offered to board staff.~~

~~(c) Any payments made pursuant to subdivision (b) do not constitute income for the purposes of subdivision (a) of Section 82030 of the Government Code, in accordance with paragraph (2) of subdivision (b) of that section.~~

SEC. 12. Section 12515 of the Water Code is amended to read:

12515. All of the records of the ~~board~~ former Colorado River Board and the Colorado River Advisory Committee or copies of them shall be collected and maintained at ~~its~~ the office of the secretary.

SEC. 13. Section 12516 of the Water Code is amended to read:

12516. The ~~board~~ committee shall be subject to the provisions of Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code.

SEC. 14. Section 12517 of the Water Code is amended to read:

12517. The ~~board~~ committee shall adopt such rules or ~~procedure~~ procedures as may be required for the orderly disposition of ~~its~~ the committee's business and such regulations as may be necessary in order to carry out the provisions of this part.

SEC. 15. Section 12518 of the Water Code is amended to read:

12518. The ~~board~~ committee shall make such reports and recommendations to the Governor as he or she requires or as the ~~board~~ secretary deems proper.

SEC. 16. Section 12519 of the Water Code is amended to read:

12519. Notwithstanding any other provision of the law to the contrary, the ~~board~~ committee may hold executive sessions in conjunction with any regular or special meeting and maintain confidential information and records limited to matters concerning interstate claims to the use of Colorado River ~~system~~ System waters in judicial proceedings, administrative proceedings, and negotiations with representatives from other states or the federal government. Whenever the ~~board~~ committee holds an executive session in conjunction with any regular or special meeting or maintains as confidential any information or records hereunder, the ~~board~~ committee shall make an

affirmative finding in its public minutes that the holding of an open meeting or the disclosure of the information or records to the public would substantially impair the performance by the ~~board~~ committee of its statutory duties. At the end of the minutes of each meeting of the ~~board~~ committee shall appear the certificate of ~~its executive secretary~~ the secretary's designee that the meeting was held in accordance with the provisions of Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code and Sections 12516 and 12519 of the Water Code.

SEC. 17. Section 12525 of the Water Code is repealed.

~~12525. The board shall elect from among its members, other than the Director of Water Resources or the Director of Fish and Game or their designees, a chairman who is ex officio the "Colorado River Commissioner." The chairman shall serve at the pleasure of the board.~~

SEC. 18. Section 12526 of the Water Code is repealed.

~~12526. The commissioner shall serve without compensation, but he shall be reimbursed for traveling and other expenses actually and necessarily incurred in the performance of his duties.~~

SEC. 19. Section 12527 of the Water Code is repealed.

~~12527. The commissioner shall perform the duties imposed upon him by this chapter under the direction of the board.~~

SEC. 20. Section 12528 of the Water Code is amended to read:

12528. The ~~commissioner~~ secretary shall consult and advise with the ~~board~~ committee in exercising the powers and performing the duties enumerated in this

chapter and the committee shall make such reports and recommendations as he or she deems proper ~~or as the board requests,~~ to the end that the rights and interests of the ~~State~~ state, its agencies and citizens, in, to, and in respect of, the water of the Colorado River System and the use thereof may be properly safeguarded and protected.

SEC. 21. Section 12529 of the Water Code is amended to read:

12529. ~~The commissioner~~ secretary shall exercise on behalf of the ~~State~~ state every right and power granted to the ~~State~~ state or to any representative of it by Section 16 of the act of Congress designated the "Boulder Canyon Project Act."

SEC. 22. Section 12530 of the Water Code is amended to read:

12530. ~~The commissioner~~ secretary shall investigate past, present, and potential uses of the water of the Colorado River System within and without the ~~State~~ state.

SEC. 23. Section 12531 of the Water Code is amended to read:

12531. ~~The commissioner~~ secretary shall investigate, coordinate, collate, and preserve information, facts, and data bearing upon the claims of all ~~States~~ states and of all public or private agencies within and without the ~~State~~ state to and in respect of the water and the use of water of the Colorado River System.

SEC. 24. Section 12532 of the Water Code is amended to read:

12532. ~~The commissioner~~ secretary shall confer with representatives of other ~~States~~ states in the Colorado River basin, representatives of the United States, and others concerning problems and measures relating to the development of the Colorado River basin, the use of the water of the Colorado River System, and the protection of the interests therein of the ~~State~~ state and of the United States, and shall negotiate respecting such problems and measures and discuss the same and formulate and

recommend to the Governor and the Legislature measures, agreements, and legislation deemed for the benefit of the ~~State~~ state and the United States.

SEC. 25. Section 12533 of the Water Code is amended to read:

12533. The ~~commissioner~~ secretary shall do and perform all other things ~~deemed~~ he or she deems necessary or expedient to carry out the purposes of this part.

SEC. 26. Chapter 4 (commencing with Section 12540) of Part 5 of Division 6 of the Water Code is repealed.

SEC. 27. Section 12551 of the Water Code is amended to read:

12551. The ~~board~~ secretary may accept any and all contributions to the fund.

SEC. 28. Section 12552 of the Water Code is amended to read:

12552. All contributions accepted by the ~~board~~ secretary shall be deposited by it him or her in the ~~State~~ Treasury to the credit of the fund.

SEC. 29. Section 12553 of the Water Code is amended to read:

12553. The ~~State~~ Controller shall draw warrants upon the fund from time to time upon demand of the ~~commissioner~~, secretary, and the ~~State~~ Treasurer shall pay the warrants.

SEC. 30. Chapter 7 (commencing with Section 12560) of Part 5 of Division 6 of the Water Code is repealed.

SEC. 31. Section 12999 of the Water Code is amended to read:

12999. (a) The department, in collaboration with the Department of Food and Agriculture, the Department of Fish and Game, and the ~~Colorado River Board of California~~ Secretary of the Natural Resources Agency or his or her designee may cooperate with the federal government, the other Colorado River ~~Basin~~ basin states,

and other entities for the purpose of preparing a plan to control or eradicate tamarisk in the Colorado River watershed. The department, the Department of Food and Agriculture, the Department of Fish and Game, and the ~~Colorado River Board of California~~ Secretary of the Natural Resources Agency or his or her designee shall seek to collaborate with affected California water agencies and other appropriate entities in that preparation. The plan shall include the reestablishment of native vegetation and the identification of potential federal and nonfederal funding sources for implementation pursuant to subdivision (b).

(b) The department, in collaboration with the Department of Food and Agriculture, the Department of Fish and Game, the ~~Colorado River Board of California~~, Secretary of the Natural Resources Agency or his or her designee and appropriate federal agencies, shall implement the plan within California upon the appropriation of funds for that purpose. The department, the Department of Food and Agriculture, the Department of Fish and Game, and the ~~Colorado River Board of California~~ Secretary of the Natural Resources Agency or his or her designee shall seek to collaborate with affected California water agencies and other appropriate entities in the implementation of the plan.

(c) This section does not preclude the department or any other entity from expending bond funds or nonstate funds for the control or eradication of tamarisk in the Colorado River watershed.

SEC. 32. Section 79567 of the Water Code is amended to read:

79567. The sum of twenty million dollars (\$20,000,000) shall be available for appropriation by the Legislature from the fund to the department for grants for canal

lining and related projects necessary to reduce Colorado River water use pursuant to the California Colorado River Water Use Plan adopted by the ~~Colorado River Board of California~~ Secretary of the Natural Resources Agency or his or her designee.

SEC. 33. There is hereby appropriated one thousand dollars (\$1,000) from the General Fund to the Natural Resources Agency for administration.

SEC. 34. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 35. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.

SEC. 36. This act shall become operative September 1, 2012.

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Prepared By _____

Approved By _____

LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Colorado River Board of California: reorganization.

Existing law establishes the 8-member Colorado River Board of California in the Natural Resources Agency and requires that board to carry out certain functions relating to the Colorado River.

This bill would eliminate the Colorado River Board of California, transfer the duties undertaken by the board to the Secretary of the Natural Resources Agency, and authorize the creation by the secretary of a Colorado River Advisory Committee, as specified.

This bill would appropriate \$1,000 to the Natural Resources Agency for administration.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

This bill would become operative September 1, 2012.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: yes.